

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re

Chapter 11 Case No.

LEHMAN BROTHERS HOLDINGS, INC., et al.

08-13555 (JMP)  
(Jointly Administered)

Debtor

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In re

Chapter 11 Case No.

LEHMAN COMMERCIAL PAPER INC.,

08-13900 (JMP)

Debtor

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LH 1440 L.L.C.,

Plaintiff,

Adv. Proc. No.  
09-01138(JMP)

-against-

LEHMAN COMMERCIAL PAPER INC., LEHMAN  
BROTHERS HOLDINGS, INC., and STATE STREET BANK  
AND TRUST COMPANY,

Defendants.

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**AMENDED**  
**OBECTION TO PRESENTMENT OF STIPULATION, AGREEMENT AND ORDER**  
**GRANTING STATE STREET BANK AND TRUST COMPANY LIMITED RELIEF**  
**FROM THE AUTOMATIC STAY**

**PLEASE TAKE NOTICE** that LH 1440 L.L.C. objects to the proposed annexed  
Stipulation, Agreement, and Order to grant State Street Bank and Trust Company Limited Relief  
from the Automatic Stay.

**PLEASE TAKE NOTICE** that among the reasons that LH 1440 L.L.C objects are:

1. The Stipulation and Order dated August 13, 2010 between Plaintiff LH 1440 L.L.C. ("LH 1440") and Defendants Lehman Commercial Paper and Lehman Brothers Holding Inc. (collectively "Lehman") specifically provided that LH 1440 reserved the right to reinstate its claims against Lehman in the Adversary Proceeding in the event that the Order dismissing LH 1440's claims against State Street Bank and Trust Company ("State Street") was reversed on appeal;
2. LH 1440 timely appealed the decision dismissing its claims against State Street to the United States District Court for the Southern District of New York and said appeal is currently pending before the Hon. Laura T. Swain. Said appeal has been fully briefed and a conference is scheduled before Judge Swain for December 3, 2010;
3. It is respectfully submitted that the Court delay any decision as to lifting of the automatic stay until a resolution of LH 1440's perfected appeal as a lifting of the automatic stay followed by a foreclosure proceeding will render the claims of LH 1440 moot.

Dated: New York, New York  
November 12, 2010

MARK L. LUBELSKY AND ASSOCIATES

By: 

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